

## Supporting Returning Military Law Enforcement Personnel

**Telecourse DVD  
June 2008**

Multimedia I.D. Number: **180**  
CPT Hours: **2**  
DVD Shipping Date: **06/20/08**  
Reference Guide: **No**

Designed to raise awareness of the issues faced by military personnel returning to their law enforcement assignments after active duty. Details three phases to consider when examining the issues of military reservists in law enforcement: Pre-deployment, deployment, and re-acclimation to the workplace upon return from military duty.

Includes in-depth interviews with law enforcement personnel who tell about the processes they use for working with military reservists and how they handle issues that can occur with the deployment and re-acclimation process. Features scenarios to demonstrate some of the situations that can occur during each phase of a reservist's deployment experience.

The program suggests that the best approach to working with deploying personnel is to plan ahead for those deployments, develop a written process for handling military deployments, and to create a support structure within the agency for deployed personnel.

The DVD program offers two viewing options:

1. Play Telecourse in its entirety (107 min.)
2. Select among eight Telecourse segments:
  - Introduction (5 min.)
  - Orders to Deploy (18 min.)
  - Develop Your Process (19 min.)
  - While on Deployment (15 min.)
  - Coming Home (19 min.)
  - Supporting Our Vets (20 min.)
  - Other Resources (3 min.)
  - Final Thoughts (7 min.)

For assistance with course control numbering of this program, use the Multimedia Course Control Number Calculator online at [www.post.ca.gov/training/ltrc/CCN\\_Tool.asp](http://www.post.ca.gov/training/ltrc/CCN_Tool.asp)



Monthly Edition DVD  
June 2008

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Registered users of the POST Learning Portal have  
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Visit [www.lp.post.ca.gov](http://www.lp.post.ca.gov) for more information.

Case Law Today programs are released monthly on a single DVD containing a single month (six total segments) and online via the POST Learning Portal. This series is not eligible for Continuing Professional Training (CPT) credit.

#### **Miranda: Reinitiation By Suspect**

*with Daniel Mc Nerney, Superior Court Judge, Orange County, CA*  
After a suspect has invoked Miranda, he may reinitiate a dialogue with police by words or conduct indicating a desire on his part to open in a discussion related directly or indirectly to the investigation. *Cases cited: Edwards v. Arizona (1981) 451 U.S. 477; People v. Mickey (1991) 54 C3d 612; Oregon v. Bradshaw (1983) 462 U.S. 1039; Wyrick v. Fields (1982) 459 U.S. 42; People v. Bradford (1997) 15 C4th 1229; People v. Stephens (1990) 218 CA 3d 575; Patterson v. Illinois (1988) 487 U.S. 285; U.S. v. Jennings (2008) DAR 1934. (7:08)*

#### **Belated Chimel Search Incident To Arrest**

*with Jeff Rubin, Deputy District Attorney, Alameda County, CA*  
Officers may conduct a search of the area immediately within the grabbing area of a suspect incident to the suspect's arrest. However, once the suspect has been taken from the scene and immobilized, officers may not return to the area of the arrest a few minutes later and search what *had been* the grabbing area unless, at the time the police do the belated search, the location is not yet controlled. *Case/statute cited: People v. Leal (2008) 160 Cal.App.4th 701; People v. Rege (2005) 130 Cal.App.4th 1584; Chimel v. California (1969) 395 U.S. 752. (6:06)*

#### **Vehicle Code §5201**

*with William W. Bedsworth, Appellate Court Justice, State of California*  
Leonza Duncan was stopped because he had attached his rear license plate upside down. After he was convicted of transporting meth, he complained on appeal that he could not be stopped for violating V.C. §5201 because his license plate was firmly attached, clearly visible, and completely legible. The Court of Appeal disagreed. Justice Bedsworth explains what constitutes a violation of Vehicle Code §5201. *Case cited: People v. Duncan (2008) DJDAR 3208. (5:01)*

#### **Unrelated Questioning During Detention**

*with Jeff Rubin, Deputy District Attorney, Alameda County, CA*  
In assessing whether questioning *unrelated* to a traffic stop unconstitutionally prolonged the stop, the fact the questions added a minute or so to the minimum time in which the stop could otherwise be completed does not mean the detention was unduly prolonged. Rather, the test is whether, under the totality of the circumstances, the questioning was reasonable. *Case cited: United States v. Turvin (9th Cir. 2008) 517 F.3d 1097. (5:59)*

#### **"Lawfulness" of The Arrest**

*with Daniel Mc Nerney, Superior Court Judge, Orange County, CA*  
Regardless of whether state law designates a particular offense as "arrestable" or "citabile", if police arrest a suspect on a "citabile" offense, the legality of that arrest will be judged under federal standards of reasonableness. *Cases cited: Virginia v. Moore (2008) DAR 5716; California v. Greenwood (1988) 486 U.S. 35. (7:23)*

#### **Initial Ambiguous Invocation of Miranda Rights**

*with Jeff Rubin, Deputy District Attorney, Alameda County, CA*  
Although an ambiguous invocation of the right to counsel or silence made *after* a suspect has waived his *Miranda* rights will not be deemed a valid invocation and police may continue an interrogation without clarifying the ambiguity, the rule is different when the ambiguous invocation is *initially* made in response to the *Miranda* admonition. *Cases cited: United States v. Rodriguez (9th Cir. 2008) 518 F.3d 1072; Davis v. United States (1994) 512 U.S. 452. (10:22)*

## About CPTN Video Programs

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### **Telecourse CPT Credit**

Telecourses are eligible for continuing professional training (CPT) credit if facilitated by a POST-Certified Telecourse Presenter. Certified Presenters of POST Advanced Officer Courses or Skills and Knowledge Modular training courses may also use the Telecourses as part of those courses. POST-Certified Telecourse Presenters seeking CPT credit for trainees must document Telecourse attendance on POST Course Roster (Form 2-111). For detailed instructions on completion of the Telecourse Course Roster, visit [www.post.ca.gov/training/cptn/credit.asp](http://www.post.ca.gov/training/cptn/credit.asp).

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### **Future Program Releases**

Crowd Management Update (July 2008)

Case Law Today (July 2008)

Law Enforcement Response to Public Health Emergencies (August 2008)

Case Law Today (August 2008)

Advanced Homicide Investigation (September 2008)

Case Law Today (September 2008)

*Schedule subject to change.*